

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Jordan M. Tonkin

Plaintiff,

vs.

Shadow Management, Inc. d/b/a Platinum Plus,

Defendant.

C/A No. 3:12-cv-0198-JFA

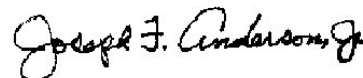
ORDER

Jordan M. Tonkin (“Plaintiff”) brought this case against Shadow Management, Inc. d/b/a/ Platinum Plus (“Defendant”) for employment discrimination under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* On June 16, 2014, this case was tried before a jury. At the conclusion of trial, the jury returned a verdict for Defendant on the discrimination claim and for the Plaintiff on the retaliation claim. Subsequently, Defendant filed a post-trial motion seeking dismissal of Plaintiff’s retaliation claim for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, judgment as a matter of law per Rule 50, and to alter or amend judgment under Rule 59(e). (ECF No. 105). This Court granted Defendant’s motion to dismiss for lack of subject matter jurisdiction, finding that Plaintiff’s failure to exhaust her administrative remedies divested the Court of jurisdiction over her retaliation claim. (ECF No. 113).

This matter is now before the Court on Plaintiff’s Motion to Amend or Alter Judgment or for New Trial, as it relates to the Court’s post-trial order (ECF No. 115). The Court has carefully reviewed the briefs submitted by the parties, as well as the applicable case law, and finds no basis for disturbing its prior ruling. Therefore, Plaintiff’s motion is hereby **DENIED**.

IT IS SO ORDERED.

October 9, 2014
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge